

**SOMERWORTH II, LC** \* **BEFORE THE PLANNING BOARD OF**  
**PETITIONER** \* **HOWARD COUNTY, MARYLAND**  
**PLANNING BOARD CASE 406** \*

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### **DECISION AND ORDER**

On July 17, 2014 and September 18, 2014 the Planning Board of Howard County, Maryland, in accordance with Subsection 127.1.L.2.a. of the Howard County Zoning Regulations, opened public hearings to consider the petition of Somerworth II, LC for approval of Site Development Plan SDP-13-023, consisting of 97 age-restricted adult housing units and a community center on 18.61 acres± of land zoned "PSC" (Planned Senior Community). The subject property is located on the east side of Gorman Road, 1,000 feet north of Skylark Boulevard, is recorded as Lots 1 through 4 of the "Waskey Property" subdivision on Plat 5192, and is in the Sixth Election District of Howard County, Maryland.

Notices of the Hearings were published and the subject property was posted in accordance with the Planning Board's requirements, as evidenced by certificates of publication and posting, all of which were made a part of the record in this case. Pursuant to the Planning Board's Rules of Procedure, all of the reports and official documents pertaining to the Petition, including the Petition, the Technical Staff Report of the Department of Planning and Zoning, the Howard County Code, the Howard County Design Manual, the 2000 General Plan of Howard County, Howard County Zoning Map, Howard County Zoning Regulations, Howard County Subdivision and Land Development Regulations including the Forest Conservation Regulations and Manual, the Howard County Landscape Manual, the Adequate Public Facilities Ordinance, and the site development plan and the comments from the Subdivision Review Committee agencies were made part of the record in this case.

## **FINDINGS OF FACT**

1. The Chairperson opened the public hearing and David Boellner of the Department of Planning and Zoning (DPZ), Division of Land Development (DLD) presented the Technical Staff Report, which recommended approval of the site development plan.
2. The Petitioner was represented by Jason Van Kirk, who addressed questions of the Planning Board following presentation of the staff report. Mr. Van Kirk stated that the plan for the community center was still under design and that it was unknown what amenities the center would include. Mr. Van Kirk stated that the petitioner worked with DPW Traffic Engineering to develop plans to improve Gorman Road. Mr. Van Kirk addressed the constraints placed on the site by the streams and their effect on sidewalks. In response to Bill Santos' concerns regarding the lack of sidewalks, Mr. Van Kirk described the proposed pedestrian connections to the adjacent Emerson and Wincopia Farms developments. Mr. Santos expressed concern the development was designed for the use of automobiles and less emphasis was placed on pedestrian accessibility. Mr. Van Kirk offered that the parking provided by the plan reflected County requirements but expected few cars on the streetscape, and that the site has been designed for walking to the Emerson and Wincopia Farms developments. Erica Roberts asked about access to adjacent communities. Mr. Van Kirk explained that access was limited by stream valleys but that trails were provided to the Emerson and Wincopia Farms developments. Mr. Santos asked where the nearest bus stop to the development was located. Mr. Van Kirk did not know. Jacqueline Easley asked why there was so much parking on site. Mr. Van Kirk stated that garage and driveway spaces were counted as well as spaces at the community center.
3. Judy George testified in favor of the plan, stating that she was impressed that the developer has proposed a plan in accordance with the purpose of the "PSC" Zoning District. Ms.

George stated that the local community needs a development like this since people in the age-restricted market want to stay in that part of County and that there is no similar project in that part of County. Ms. George stated that she will ask the County Council to implement traffic controls at Skylark Boulevard and Gorman Road due to excessive speeding by drivers. Ms. George felt that buyers of lots at Wincopia and Walden Woods will exceed the speed limit and that a light or circle is needed.

4. The chairperson closed the hearing and proceeded to deliberate and vote on the case in open session. The Planning Board members in attendance motioned for a vote in this case.
5. The Planning Board finds that the site development plan is consistent with the approved preliminary development plan and development criteria. The proposed development satisfies the intent and purpose of the "PSC" Zoning District in that it will provide housing designed for older adults and elderly persons. With the addition of this development Walden Woods will provide a variety of housing types including single-family attached and detached units. The site development plan is in substantial conformance with the preliminary development plan approved under Zoning Board Case 1101M. The intent of the preliminary development plan is for the property to be used as an age-restricted adult housing development that provides 97 housing units and a 1,940 square-foot community center; the site development plan proposes 97 housing units and a 2,300 square-foot community center.
6. The development has direct access to Gorman Road, a minor collector road.
7. The development proposes the number of units indicated by the preliminary development plan (97), and ten percent, or 10, of those units are required to be set aside to satisfy Moderate Income Housing Unit (MIHU) requirements. The petitioner will pay a fee-in-lieu to Howard County to satisfy the MIHU requirements.

8. The development proposes 11.21 acres of open space, which is 60.2% of the area subject to the requirement. This exceeds the minimum required open space of 35%.
9. The development will not be constructed in phases.
10. The site development plan provides detailed information to convey the necessary site plan requirements. The site boundary, topography, existing vegetation, and adjacent stream, wetlands and 100-year floodplain are identified and delineated on the site development plan. Primary access to the site is provided by internal private roads which connect to Gorman Road. A detailed landscape plan has been provided as part of the site plan set. Several easements and maintenance agreements will be put in place to construct and maintain utilities and stormwater management facilities. The site development plan provides information on setbacks, units proposed, MIHU's, parking and other development criteria. The site has been designed to be fully ADA accessible and Universal Design Features will be incorporated into the units.
11. The design of the project takes into consideration the surrounding residential neighborhood. Impacts to the viewsheds of adjacent single-family homes will be minimized by preservation of existing forest, additional forest planting and landscaping.
12. Sensitive environmental areas will be permanently protected by dedication as open space lots.

### **CONCLUSIONS OF LAW**

Site Development Plan SDP-13-023 satisfies all standards for approval of a site development plan provided in Subsection 127.1.L.3 of the Howard County Zoning Regulations for the reasons stated in the Department of Planning and Zoning Technical Staff Report.

For the foregoing reasons, the petition of Somerworth II, LC for approval of a site development plan for 97 age-restricted adult housing units and a community center on 18.61

acres± of land zoned "PSC," is this 8<sup>th</sup> day of October, 2014, APPROVED by  
the Planning Board of Howard County.

HOWARD COUNTY PLANNING BOARD

Josh Tzucker / HB  
Josh Tzucker, Chairperson

Absent  
Bill Santos, Vice Chairperson

Jacqueline Easley / HB  
Jacqueline Easley

Phil Engelke / HB  
Phil Engelke

Erica Roberts / HB  
Erica Roberts

ATTEST:

Marsha McLaughlin  
Marsha McLaughlin  
Executive Secretary

REVIEWED FOR LEGAL SUFFICIENCY BY:  
HOWARD COUNTY OFFICE OF LAW  
MARGARET ANN NOLAN  
COUNTY SOLICITOR

Paul T. Johnson  
Paul Johnson  
Deputy County Solicitor

LIST OF PETITIONER'S EXHIBITS

(None)

LIST OF PROTESTANT'S EXHIBITS

(None)